

115+224

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.2206 of 2021(O&M)

Date of Decision: 21.01.2021

Monu and others

.....Petitioners

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Yashveer Kharb, Advocate
for the petitioners.

Mr. Rajat Gautam, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video
conferencing.

CRM No.1498 of 2021

Prayer in this application is to correct the offence in
place of Section 398 IPC as the same has been inadvertently
mentioned in place of Section 399 IPC in the headnote and
prayer clause of the petition.

For the reasons mentioned in the application, correction
is allowed. Offence under Section 399 IPC be read in place of
offence under Section 398 IPC in the headnote and prayer
clause of the petition.

Disposed of.

CRM-M No.2206 of 2021(O&M)

Petitioners seek grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.382 dated 04.12.2020 registered under Sections 399, 402 IPC and Section 25 of the Act No.54 of the Arms Act at Police Station Bhuna, District Fatehabad.

The allegations are of planning to commit decoity. As per prosecution case, the FIR was registered on the basis of secret information to the effect that in a vacant shop, 5-6 persons were planning to loot a petrol pump at village Nehla. Those persons were shown armed with sharp edged weapon and batons. The FIR was registered. The raid was conducted on the vacant shop. Six young boys were arrested. Different police officials captured different accused in the process of their running from the aforesaid shop. Recoveries have been effected from them.

Learned counsel for the petitioners submitted that the petitioners are in custody since 04.12.2020. Challan has already been presented. Charges have not been framed so far. All the accused have been arrested in this case.

Per contra, learned State counsel opposed the bail on the ground that all the persons were arrested by the raiding

party when they were planning to commit the decoity at petrol pump. Different recoveries have been effected from them.

Looking to the accusation and nature of offence, keeping in view the custody of the petitioners and without meaning anything on merits of the case, I deem it appropriate to enlarge the petitioners on regular bail.

In view of above, petition is allowed. Petitioners are ordered to be released on regular bail, subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 21, 2021
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No